



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

February 12, 2015

Ayn Shlisky
Blue Mountains Restoration Team Lead
72510 Coyote Rd.
Pendleton, OR 97801

Re: EPA Region 10 comments on the Lower Joseph Creek Restoration Project Draft Environmental Impact Statement (DEIS) (EPA Project number 14-0003-AFS).

Dear Ms. Shlisky:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Lower Joseph Creek Restoration Project (Project) in the Wallowa-Whitman National Forest in Oregon. Our review was conducted in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA).

The DEIS analyzes the range of effects of three alternatives: the no action alternative and two action alternatives. The action alternatives are designed to restore, maintain, and enhance forest and rangeland resiliency to natural disturbances; protect natural resources at risk due to uncharacteristic wildfires and insect and disease outbreaks; contribute to local economic and social vitality; modify fire behavior potential; and improve future forest, range, and fire management opportunities. Project components under Alternative 2 (the preferred alternative) include thinning and mechanical fuel treatments across 22,119 acres, including 2,600 acres in Class 4 riparian habitat conservation areas (RHCAs); the application of fire on up to 90,000 acres (planned and unplanned); 82.6 miles of road reconstruction, and 12.6 miles of new temporary road construction. Proposed watershed improvement activities include the closure of 16 miles of road; the decommissioning of 25 miles of road; and the provision of aquatic organism passage at six sites within the planning area. Alternative 3 would address issues raised in scoping by reducing the number of acres treated within RHCAs and other land use allocations, eliminating the harvest of trees over 21 inches diameter at breast height (dbh) and by holding road densities static for fisheries and wildlife objectives relative to the current condition.

The EPA is supportive of the overarching goals and objectives of the proposed project, and we find the DEIS to be clear and well organized. We also appreciate the Forest's responsiveness to issues raised during the scoping process. In particular, we appreciate the effort taken to distinguish between Class 4 RHCAs and Class 1, 2 and 3 RHCAs in the preferred alternative. Overall, we find the treatments proposed under Alternative 2 to align well with the broad body of science emerging about dry and moist mixed conifer forests¹. We also prefer the road-related actions proposed under Alternative 2. We find these to more fully support needed reductions in fine sediment to streams within the planning area.

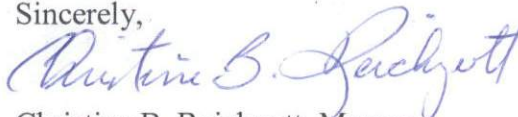
¹ http://www.fs.fed.us/pnw/publications/MMC_Synthesis_24Feb14.pdf

A key element of the preferred alternative is the proposed harvest of young grand fir, Douglas-fir, and Lodgepole pine that are over 21 inches dbh. While the DEIS makes clear that the intent behind the removal of these trees is to restore species composition towards the historic range of variability (HRV) and to promote forest resilience, it does not fully disclose the circumstances under which those trees would be removed. We recommend the FEIS include a marking guide for the removal and retention of young grand-fir, Douglas-fir and Lodgepole pine. The draft marking guide developed by the Ochoco Forest Restoration Collaborative² may provide a reference point for the development of a marking guide for the Lower Joseph Creek Restoration Project. We further recommend that the FEIS clarify the way in which older trees will be identified. The DEIS references the "Van Pelt guidelines"³ but does not commit to a particular methodology. Because retention of older trees (regardless of diameter) is a key component of the preferred alternative, it would be helpful to reviewers to have a clear idea of how those trees will be identified.

With regard to proposed activity within the RHCAs, we are pleased to note that the preferred alternative focuses active management on higher gradient (Class 4) RHCAs. These riparian zones are more likely to exhibit the fire regime of the adjacent upslope environment and benefit from silvicultural treatment to restore the natural fire regime. We also note, however, the challenges associated with restoring complex, dynamic systems, and with understanding our ability to affect those systems. Resilience can be difficult to measure – due in part to data availability and in part to the tools at our disposal. Given these restraints, there is a need to employ a strong monitoring and adaptive management approach. The scope and scale of the Lower Joseph Creek Project present an excellent opportunity to understand how treatments, such as those proposed in the RHCAs, may affect ecological interactions at the landscape scale. We recommend that the FEIS and ROD highlight the need to employ multi-party monitoring, and to track the results of management efforts and follow disturbances and recovery efforts over a long term within the RHCAs. Having this information will give managers the ability to inform subsequent management decisions with what was learned from previous management decisions and thus make appropriate adjustments.

Based on our review, we are rating the DEIS as LO (Lack of Objections). We appreciate the opportunity to review and comment on the DEIS, and we look forward to furthering our understanding of this and other projects that develop through the Eastside Restoration Strategy. If you have any questions about our review, please contact me at (206) 553-1601, or by electronic mail at reichgott.christine@epa.gov. Or you may contact Teresa Kubo of my staff at 503-326-2859 or by electronic mail at kubo.teresa@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure:

1. EPA Rating System for Draft Environmental Impact Statements

² Appendix G - Criteria to guide decision-making on the removal/retention of grand fir and Douglas-fir in 384 acres within the Wolf project http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/95968_FSPLT3_1658824.pdf

³ Franklin, J. F., M. A. Henstrom, R. Van Pelt, J. B. Buchanan, and S. Hull. 2008. The Case for Active Management of Dry Forest Types in Eastern Washington: Perpetuating and Creating Old Forest Structures and Functions. Page 105 in W. D. o. N. Resources, editor.

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.